

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**WILLIAM L. ANDERSON, II,**

Petitioner,

V.

**HAROLD CLARK,**

Respondent.

Case No. 7:21CV00249

## OPINION

By: James P. Jones  
United States District Judge

*William L. Anderson, II, Pro Se Petitioner.*

Petitioner William L. Anderson, II, a Virginia inmate proceeding pro se, has filed a Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2254, alleging ineffective assistance of counsel in failing to request a psychiatric evaluation and failing to raise an insanity defense and due process violations by the Commonwealth's Attorney and the trial court. After review of the petition and the record, I find that the petition must be summarily dismissed as successive.

Anderson challenges his 2009 Washington County Circuit Court convictions for bank robbery and obstruction of justice. Anderson previously filed a Petition for Writ of Habeas Corpus in this court, raising substantially the same issue he raises now. By order entered August 8, 2012, another judge of this court dismissed that

petition as untimely filed under 28 U.S.C. § 2244(d). Mem. Op. at 1–2, *Anderson v. Director, VDOC*, No. 7:12CV00323 (W.D. Va. Aug. 8, 2012), ECF No. 11.

Pursuant to 28 U.S.C. § 2244(b), a federal district court may consider a second or successive § 2254 petition, such as Anderson’s current submission, only if the petitioner secures specific certification from the United States Court of Appeals for the Fourth Circuit that the claims in the petition meet certain criteria set forth in §2244(b)(3). Because Anderson provides no evidence that he has obtained such certification, I am required to dismiss the petition without prejudice as successive.

A separate Final Order will be entered herewith.

DATED: May 20, 2021

/s/ JAMES P. JONES  
United States District Judge